

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KELLY A. MASON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-13-1244-D
)	
STATE OF OKLAHOMA, <i>ex rel.</i>)	(Oklahoma County District Court
DEPARTMENT OF PUBLIC SAFETY,)	Case No. CV-2013-2297)
and JESSICA STANCO, Individually,)	
)	
Defendants.)	


ORDER OF DISMISSAL AND REMAND

Upon consideration of Plaintiff Kelly A. Mason's Unopposed Motion to Remand to State Court and Motion to Dismiss Federal Court 42 U.S.C. § 1983 Action [Doc. No. 10], the Court finds that Plaintiff's filing constitutes a voluntary dismissal of her § 1983 action pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), and that Plaintiff's state law action should be remanded pursuant to 28 U.S.C. § 1367(c)(3).

IT IS THEREFORE ORDERED that Plaintiff's Motion is GRANTED. Plaintiff's claim under 42 U.S.C. § 1983 is DISMISSED with prejudice to refiling of same; each party shall be responsible for its own attorney's fees and costs incurred in federal court.

IT IS FURTHER ORDERED that the remainder of the action is remanded to the District Court of Oklahoma County, Oklahoma.

IT IS SO ORDERED this 13th day of January 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE